

Appln. 10/040,396
Amdt dated March 29, 2007
Office Communication of December 4, 2006

REMARKS/ARGUMENTS

This amendment is in response to the Office Action mailed December 4, 2006. Claims 21, 24-34, and 48 were pending in the present application. This amendment amends claims 21, 24, 33-34 and 48. New claims 49 and 50 have been added. Accordingly, claims 21, 24-34, and 48-50 are currently pending.

Claims 21, 24, 33-34 and 48 have been amended to recite having additional features, support for which may be found throughout the originally filed disclosure, for example, in the specification on page 23, lines 17-19, page 9, lines 10-18, page 16, lines 18-22 through page 17, lines 1-14.

Rejection under 35 U.S.C. §103

Claims 21-34, 48 are rejected under 35 U.S.C. §103(a) as being unpatentable over Anuff (US Pat. 6,327,628) in view of Warnock (US Patent Publication 2004/0148274 A1). Applicants respectfully submit that a proper prima facie case of obviousness has not been established and further that these references do not teach or suggest each element of applicant's amended claims.

First, Applicant contends that a proper prima facie case of obviousness in accordance with 35 U.S.C. 103(a) and MPEP 2143 has not been established. Specifically, there must be some "suggestion or motivation, either in the reference themselves or in the knowledge generally available to one of ordinary skill in the art, to combine reference teachings with a reasonable expectation of success." Although Anuff does not explicitly disclose a customizable search based on a subset of the previous search results, a user interface operable to display a subset based on the previous search results, and a find command operable to search a subset of the previous search results, it is alleged in the Office Action that it would have been obvious to one skilled in the art to combine Warnock. However, the combination of Anuff and Warnock does not suggest or teach the limitations of the rejected claims. For example, nowhere in the teaching of either reference cited is there support for an application user interface operable independent from a database server, nor is there any teaching or motivation to combine the references to achieve customization without modification of page design or without requiring additional client side application software. In fact, the combination teaches precisely the opposite. Anuff teaches

utilizing Java servlets wherein the user interface is actively coupled to the database server or when not coupled, relying exclusively on client side application software. Further, nowhere in Warnock is the problem addressed to allow an enterprise to implement robust application user interface technology that is not coupled to a database server or requiring modification of a page design or not relying exclusively on basic point and click navigation. However, applicant's claims are directed to solving these and other problems (See Applicant's Specification page 23, lines 17-19, page 9, lines 10-18, page 16, line 18 through page 17, line 14, and page 42, line 7 through page 44, line 3).

Therefore, the 103(a) argument must fail because the recited combination would not even yield a system with functionality as claimed by applicant nor does the cited combination teach or suggest applicant's claimed invention as recited in the amended claims. Therefore, no *prima facie* case has been established by the office.

Moreover, Anuff and Warnock in combination do not provide the requisite "reasonable expectation of success" in accordance with MPEP 2143 since the cited system developed in the combination proposed by the office would not provide the claimed subject matter of applicant. Nothing within the disclosure of either Anuff nor Warnock suggest combining such systems to solve the problems identified by applicant. Nowhere in either reference is support for a user interface not relying on point and click browser navigation in a thin client implementation, nor does either reference alone, or in combination, solve the problem of operating independently of a database server without client side application software. The entire design of both Anuff and Warnock, alone, or in combination, depends upon such an implementation. However, support for applicant's claimed system and methods and its subsequent reduction to practice is provided inter alia on Pages 4-43 of the applicant's specification. When the combination of the references lacks the requisite motivation to combine, a rejection based on a *prima facie* case of obviousness is improper. In re Rouffet, 149 F.3d 1350, 1357, 47 USPQ2d 1453, 1457-58 (Fed. Cir. 1998). On at least this basis, applicant respectfully requests that this rejection, based on 103(a), be withdrawn.

Further, In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988), stands for the proposition that there is no motivation to merely substitute a particular component into a system

of the primary reference to make a prima facie obviousness rejection. There, the claims were directed to a system for detecting and measuring minute quantities on nitrogen compounds comprising a gas chromatograph, a converter which converts nitrogen compounds into nitric oxide by combustion, and a nitric oxide detector. The court found that there was no support or explanation to merely substitute one type of detector for another in the system of the primary reference. Likewise, here, no such motivation or support exists to merely substitute Warnock query searches with results from previous searches into the Anuff application system. Further, nowhere in the cited reference is a suggestion or motivation to solve problems identified by the applicant in such a manner.

In spite of lack of a prima facie case, applicant further respectfully submits that the alleged obviousness case for the rejection of Claims 21, 24-34, and 48 under 35 U.S.C. §103(a) over Anuff in view of Warnock (US 6,643,652) must also fail. Claims 24-32 depend from claim 21, which is not rendered obvious by Anuff as discussed above. Moreover, Warnock does not make up for the deficiencies in Anuff with respect to these claims. Warnock is cited as teaching a GUI to locate specific regions and for performing searches with results of previous searches (OA p.4). With regard to claim 48, nowhere in the cited reference is a consistent user allowed to configure a single instance of an application user interface independently of the database server and without modification of a user interface page design.

Warnock does not teach or suggest a customizable interaction model for a user application interface element or allow a user to modify the functionality of any element of a user interface independently from a database server across an enterprise wide computer system utilizing other architectures than a common Internet web browser or client server. Also, Anuff in view of Warnock, in combination, do not teach a application user interface capable of customizing elements such as logic, data processing, responsiveness to user input, checking data entered into a form field to have an acceptable format, syntactic processing, and hotkey responsiveness. The aforementioned element lists are merely exemplary of a plurality of elements available for customization and personalization in applicant's claimed subject matter. Moreover, Anuff in view of Warnock actually teach away from such functionality because the combination depends on client side application software or thin client web based browser client

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interfaces limited to a predetermined number of user modifiable elements corresponding to common web browser functionality utilizing standard point and click navigation and URL's to retrieve content. Applicant's claimed subject matter, on the other hand, allows for the inclusion of displaying error messages, modifying the order of element, controlling when data is passed from a client to business logic processes performed on a server, or focus controlling the time before such data is transferred. None of these features are taught in Anuff in view of Warnock because they depend on a common web based browser interface with traditional design elements.

As such, Warnock cannot render obvious Applicants' independent claim 21, or dependent claims 24-32, either alone or in combination with Anuff. Applicants therefore respectfully request that the rejection with respect to claims 24-32 also be withdrawn.

With regard to claims 33-34 and 48, in spite of lack of a *prima facie* case, applicant further respectfully submits that the alleged obviousness case for the rejection of Claims 33-34 and 48 under 35 U.S.C. §103(a) over Anuff in view of Warnock (US 6,643,652) must also fail. As discussed above, Anuff in view of Warnock actually teach away from applicant's claimed invention and functionality because the combination cited above depends on client side application software in thin client web based browser client interfaces limited to a predetermined number of user modifiable elements corresponding to common web browser functionality utilizing standard point and click navigation and URL's to retrieve content. Applicant's claimed subject matter, on the other hand, allows for the inclusion of displaying error messages, modifying the order of elements, controlling when data is passed from a client to business logic processes performed on a server, or focus controlling the time before such data is transferred (See Pages 4-16 and 54-56 of the applicant's Specification). None of these features are taught in Anuff in view of Warnock because it depends on a common web based browser interface with traditional design elements. Further, Anuff and Warnock teach away from such functionality since they depend on standard point and click navigation and URL's to retrieve content that is coupled digitally to a database server or depend on client-side application software, unlike applicant's claimed invention.

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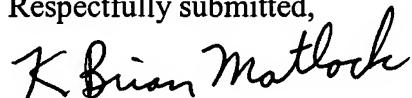
As such, Anuff in view of Warnock cannot render obvious Applicants' claim 33-34 and 48, either alone or in combination. Applicants therefore respectfully request that the rejection with respect to claims 33-34 and 48 also be withdrawn.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5000.

Respectfully submitted,



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